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OFFICE OF PETITIONS

In re Patent No. 7,187,946 :
Issued: March 6, 2007 : LETTER REGARDING PTA AND
Application No. 10/677,784 : CERTIFICATE OF CORRECTION
Filed: October 2, 2003 :
Atty. Dkt. No.: 2541 :

This letter is in response to the "LETTER REGARDING PATENT TERM ADJUSTMENT," filed January 10, 2007. The Office thanks patentees for their good faith and candor in bringing this to our attention.

The above-identified application matured into U.S. Patent No. 7,187,946 on March 6, 2007. The patent issued with a patent term adjustment (PTA) of 429 days. Patentees request review of the application.

A review of the calculation of PTA reveals two errors. Accordingly, the correct calculation of adjustment is as set forth herein.

An adjustment of 349 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(1) in connection with the non-final Office action mailed November 16, 2005. The adjustment began December 3, 2004, the day after the date that is 14 months after the date that the application was filed, and ended November 16, 2005, the date that the non-final Office action was mailed. See, 1.703(a)(1).

The adjustment is properly reduced 34 days in accordance with 37 CFR 1.704(b) in connection with the Notice of Appeal filed July 31, 2006. The reduction began June 28, 2006, the day after the date that is three months after the date that the final Office action was mailed, and ended July 31, 2006, the date that the Notice of Appeal was filed.

Accordingly, at the time of issuance, the patent was entitled to an adjustment of 315 days.

As applicants are advising us of a potential error in providing too much patent term adjustment in this application, no fee is due in connection to this matter.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 315 days.

Applicants are given 30 days to file a request for reconsideration of the instant decision. No additional time will be granted under 37 CFR 1.136.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Kery A. Fries

Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

CC: Draft Certificate of Correction

Day : Tuesday
Date : 8/28/2007**PALMINTRANET**

Time: 11:44:22

PTA Calculations for Application: 10/677784

Application Filing Date:	10/02/2003	PTO Delay (PTO):	429
Issue Date of Patent:	03/06/2007	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	0
Post-Issue Petitions:	0	Total PTA (days):	315
PTO Delay Adjustment:	-114		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
60	08/22/2007	ADJUSTMENT OF PTA CALCULATION BY PTO		100	
59	08/22/2007	ADJUSTMENT OF PTA CALCULATION BY PTO		128	
58	08/22/2007	ADJUSTMENT OF PTA CALCULATION BY PTO	114		
54.5	02/14/2007	PTA 36 MONTHS			
54	03/06/2007	PATENT ISSUE DATE USED IN PTA CALCULATION			
53	02/06/2007	EXPORT TO FINAL DATA CAPTURE			
52	01/29/2007	FINISHED INITIAL DATA CAPTURE			
51	02/05/2007	DISPATCH TO FDC			
50	02/01/2007	APPLICATION IS CONSIDERED READY FOR ISSUE			
49	01/29/2007	ISSUE FEE PAYMENT VERIFIED			
48	01/29/2007	ISSUE FEE PAYMENT RECEIVED			
47	12/22/2006	EXPORT TO INITIAL DATA CAPTURE			
46	12/19/2006	MAIL NOTICE OF ALLOWANCE	80		30
45	12/15/2006	ISSUE REVISION COMPLETED			
44	10/02/2003	REFERENCE CAPTURE ON IDS			
43	12/14/2006	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
42	12/14/2006	CASE DOCKETED TO EXAMINER IN GAU			
41	12/14/2006	NOTICE OF ALLOWABILITY			
40	11/01/2006	DATE FORWARDED TO EXAMINER			
39	11/01/2006	MAIL APPEALS CONF. REOPEN PROSEC.			
38	10/30/2006	APPEALS CONF. DECISION, REOPEN PROSEC.			
37	07/31/2006	REQUEST FOR APPEAL CONFERENCE FILED			
36	07/31/2006	NOTICE OF APPEAL FILED			
		REQUEST FOR EXTENSION OF TIME - GRANTED			

35	07/31/2006				
33	06/26/2006	MAIL ADVISORY ACTION (PTOL - 303)			
32	06/22/2006	ADVISORY ACTION (PTOL-303)			
31	06/07/2006	DATE FORWARDED TO EXAMINER			
30	05/30/2006	AMENDMENT AFTER FINAL REJECTION			
29	03/27/2006	MAIL FINAL REJECTION (PTOL - 326)			
28	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
27	03/20/2006	FINAL REJECTION			
26	04/13/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
25	10/02/2003	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
24	02/16/2006	DATE FORWARDED TO EXAMINER			
23	02/06/2006	RESPONSE AFTER NON-FINAL ACTION			
22	11/16/2005	MAIL NON-FINAL REJECTION	349		-1
21	11/10/2005	NON-FINAL REJECTION			
20	07/05/2005	CASE DOCKETED TO EXAMINER IN GAU			
19	06/14/2005	CASE DOCKETED TO EXAMINER IN GAU			
18	04/13/2005	REFERENCE CAPTURE ON IDS			
17	04/13/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
16	01/25/2005	CASE DOCKETED TO EXAMINER IN GAU			
15	09/24/2004	RESCIND NONPUBLICATION REQUEST FOR PRE GRANT PUBLICATION			
14	09/28/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
13	10/02/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
12	09/10/2004	CORRESPONDENCE ADDRESS CHANGE			
11	09/08/2004	CASE DOCKETED TO EXAMINER IN GAU			
10	09/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
9	12/29/2003	APPLICATION RETURN FROM OIPE			
8	12/29/2003	APPLICATION RETURN TO OIPE			
7	12/29/2003	APPLICATION DISPATCHED FROM OIPE			
6	12/30/2003	APPLICATION IS NOW COMPLETE			
5	10/02/2003	PGPUBS NONPUB REQUEST			
4	12/16/2003	CASE CLASSIFIED BY OIPE			
3	12/16/2003	CLEARED BY OIPE CSR			
2	11/15/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			

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10/02/2003 INITIAL EXAM TEAM NN

Search Another: Application# **EXPLANATION OF PTA CALCULATION****EXPLANATION OF PTE CALCULATION**

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,187,946 B2
DATED : March 6, 2007
INVENTOR(S) : Palan

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 429 days

Delete the phrase "by 429 days" and insert – by 315 days--